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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,386	11/21/2003	Satoru Miyauchi	43521-1400	2574
	7590 06/13/2007 MER LLP (OC)	EXAMINER		
600 ANTON B	• •	CHENG, JACQUELINE		
SUITE 1400 COSTA MESA	, CA 92626		ART UNIT	PAPER NUMBER
	,		3768	
				
			MAIL DATE	DELIVERY MODE
			06/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

Application No.	Applicant(s)	
10/719,386	MIYAUCHI, SATORU	
Examiner	Art Unit	-
Jacqueline Cheng	3768	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address = THE REPLY FILED 29 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ◎ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must trively line to price of Appeal with appeal feel in compliance with 37 CFR 4.131; or a Request for Confinued Examination (RCE) in compliance with 37 CFR 4.134. The reply must be filed within one of the following replies: (1) an amendment, affidavit, or other evidence, which are repended for reply expires 2 months from the mailing date of the final rejection. b) □ The period for reply expires 3 months from the mailing date of the final rejection. b) □ The period for reply expires on: (1) the mailing date of the final rejection. convent, however, will be statutory period for reply expire inter than SIX MONTHS for the final rejection. Examiner Note: (1004 is 6 check) check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN THE FIRST REPLY WAS FILED WITHIN THE FIRST REPLY WAY FILED EXTENSION ON THE OFF THE FIRIAL REJECTION. See MPEP 756 07(f). Extensions of time may be obtained under 37 CFR 1.13(a). The date on which the petition under 37 CFR 1.13(e) and the appropriate extension in under 37 CFR 1.17(e) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2 may reduce any extension and the corresponding amount of the 6.2 the appropriate extension in under 37 CFR 1.17(e) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2 may reduce any extension the final final period of the final rejection on the final final period of the final rejection of Appeal wit	Refere the Filing of an Annual Brief	MIYAUCHI, S/		,U
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b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 705.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension in have been filed is the date for purposes of determining the period of extension and the corresponding amount of the The appropriate extension in under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action or (2 set froit in (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely finally reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAU. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Sin a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). MENDMENTS In the proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise new issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE:	places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliant time periods:	wing replies: (1) an amendment, aft otice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mo	fidavit, or other evider	nce, which
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Continuation of 13. Other: As to applicants arguments that it would not be obvious to take a differential of change in the MRI signal, the examiner respectfully disagrees, Walker is also interested in the differences of how the brain reacts to a certain stimuli while awake vs while asleep (in paragraphs 2 and 3 of Walker it is disclosed that similar patterns of activation for the stimulus were obtained in both waking and sleep states), therefore needeing to take a differential of MRI signal with change in state..